

Jeffrey L. Moyer
302-651-7525
Moyer@rlf.com

**RICHARDS
LAYTON &
FINGER**

December 11, 2024

VIA CM/ECF

The Honorable William C. Bryson
Howard T. Markey National Courts Building
717 Madison Place, N.W.
Washington, DC 20439-0000

RE: *Ryanair DAC v. Booking Holdings Inc. et al.*, C.A. No. 20-1191-WCB (D. Del.)

Dear Judge Bryson,

Booking.com respectfully requests that the Court strike portions of Ryanair's December 11, 2024 letter brief and accompanying materials as non-responsive and improperly beyond the scope of the Court's limited request for supplemental briefing. Specifically, the Court should strike paragraphs 6 through 9, including footnote 1, of the letter brief (from "Mr. Hurley's test booking testimony should not impact . . ." through the end of the letter) (D.I. 506), and the Declaration of Ji Mao and its accompanying exhibit (D.I. 508 & Appx. A).

The Court's order of 2-page supplemental briefing during the December 6, 2024 hearing did not authorize the portions of Ryanair's filing that Booking.com moves to strike, which do not pertain to the discrepancy between Mr. Hurley's and Mr. Guerrero's testimony and any reconciling thereof. *See* 12/6/24 Tr. at 9, 13. These portions of Ryanair's filing instead are unauthorized supplemental briefing and evidence on different issues. Ryanair makes no effort to tie paragraphs 6 through 9 (including footnote 1) to the Court's request for briefing. And Mr. Mao's declaration incorrectly suggests that his submission was authorized by the Court, when it was not. *See id.* at 13:3-15 (describing subject of briefs).

Pursuant to D. Del. L.R. 7.1.1, Booking.com immediately raised these concerns with Ryanair's Delaware counsel and the Parties met and conferred on December 12, 2024. Ryanair's counsel indicated that Ryanair would agree to withdraw Appendix A but would not agree to withdraw any other portions of its filing.

Booking.com respectfully requests that the portions of Ryanair's December 11 submissions, identified above, that do not concern the apparent conflict between the trial testimony of Mr. Hurley and Mr. Guerrero be struck.

Respectfully submitted,

/s/ Jeffrey L. Moyer

Jeffrey L. Moyer (#3309)

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